



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Twenty-fourth Day

Wednesday Morning

February 25, 2015

The invocation was offered by Representative Timothy C. Wesco.

The House convened at 12:50 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Scott D. Pelath.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezgodski
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak	Porter
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein <input type="checkbox"/>	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
Harris <input type="checkbox"/>	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey	Thompson
Kirchhofer	Torr

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins ☐
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 259: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

RESOLUTIONS ON FIRST READING

House Resolution 19

Representative Summers introduced House Resolution 19:

A HOUSE RESOLUTION recognizing the MTI School of Knowledge on the occasion of the 25th anniversary of its establishment.

Whereas, Twenty-five years ago, due to a growing Muslim population in Indianapolis, the Muslim community came together to develop a school that promoted traditional Islamic education for children of the faith;

Whereas, At the MTI School of Knowledge, Madrasa Tul Ilm, serving under the guidance of the Qur'an and Sunnah of the Prophet Muhammad, aims to provide learning opportunities in an Islamic environment

Whereas, The administration and faculty of the MTI School of Knowledge feel they have a special responsibility to teach students the skills of communication, computation, social relations, creative thinking, and problem solving techniques in order to nurture moral values and model proper Islamic behavior;

Whereas, The MTI School of Knowledge began as a home schooling program established by four devoted sisters, Sr. Muslimah Mustafa, Sr. Jamila Al-Khattab, Sr. Mu'mina Blackman, and Sr. Saeeda Amatullah;

Whereas, Beginning with the involvement of only a couple of families, the program soon expanded to six families as more and more community members began to hear about the school;

Whereas, Starting with a small building downtown, the school has expanded as the enrollment continued to grow and, after much hard work and determination, the school bought an area and began construction on a Masjid; and

Whereas, As the only Islamic school in Indianapolis, the MTI School of Knowledge helps to fill a void in our community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives wishes to congratulate the MTI School of Knowledge on the occasion of the 25th anniversary of its establishment and to encourage the school to continue educating the children of Indianapolis.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the MTI School of Knowledge.

The resolution was read a first time and adopted by voice vote.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 2, 2015, at 1:30 p.m.

MCMILLIN

The motion was adopted by a constitutional majority.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1638

Representative Behning called down Engrossed House Bill 1638 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 260: yeas 66, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kruse, Yoder and Pete Miller.

Engrossed House Bill 1561

Representative Negele called down Engrossed House Bill 1561 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. Representative Negele requested unanimous consent to present a third reading amendment, consent was not given. Representative Negele withdrew the call of Engrossed House Bill 1561.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Lehman.

Engrossed House Bill 1548

Representative Lehe called down Engrossed House Bill 1548 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 261: yeas 77, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Pat Miller.

Engrossed House Bill 1273

[*Journal Clerk's Note: Speaker Bosma filed a letter with the Ethics Committee stating a conflict concerning HB 1273 (see page 584). The Speaker is not required to vote and was not presiding or in attendance on the floor when the vote was taken.*]

Representative Huston called down Engrossed House Bill 1273 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1273. Pursuant to House Rule 46, the reason for the request is the following:

I have participated directly in representing the chief advocate of HB 1273 through my law firm and feel that in order to safeguard the public's trust in the House of Representatives, I need to be excused from voting on this bill.

STEUERWALD

Motion prevailed.

Roll Call 262: yeas 74, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Pete Miller and Merritt.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

Representative Lawson, who had been present, is now excused.

Engrossed House Bill 1540

Representative Dermody called down Engrossed House Bill 1540 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 263: yeas 76, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Alting, Kenley, Rogers and Arnold.

Engrossed House Bill 1481

Representative Burton called down Engrossed House Bill 1481 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 264: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Boots and Tallian.

Representatives Eberhart and Forestal, who had been present, are now excused.

Engrossed House Bill 1476

Representative Karickhoff called down Engrossed House Bill 1476 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 265: yeas 62, nays 30. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The

Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Hershman.

Engrossed House Bill 1475

Representative Karickhoff called down Engrossed House Bill 1475 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 266: yeas 81, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Hershman, Head, Arnold and Eckerty.

Representative Culver, who had been present, is now excused

Engrossed House Bill 1414

Representative Speedy called down Engrossed House Bill 1414 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was reread a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 267: yeas 72, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Schneider.

Engrossed House Bill 1405

Representative Slager called down Engrossed House Bill 1405 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 268: yeas 63, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Niemeyer.

OTHER BUSINESS ON THE SPEAKER'S TABLE

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on second reading amendment 1 to House Bill 1362, Roll Call 17, on January 26, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote I inadvertently pushed the yea button when I intended to vote nay."

FRIZZELL

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 17 to 29 yeas, 68 nays.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1053, Roll Call 28, on January 27, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote the machine had closed. I intended to vote yea."

RIECKEN

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 28 to 98 yeas, 0 nays.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1497, Roll Call 56, on February 2, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

RIECKEN

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 56 to 76 yeas, 18 nays.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1341, Roll Call 82, on February 5, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote the machine had closed. I intended to vote yea."

ARNOLD

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 82 to 97 yeas, 0 nays.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on second reading amendment 16 to House Bill 1609, Roll Call 84, on February 5, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the nay button when I intended to vote yea."

MOED

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 84 to 70 yeas, 25 nays.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1509, Roll Call 101, on February 9, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote the machine had closed. I intended to vote yea."

SPEEDY

There being a constitutional majority voting in favor of the petition, the petition was adopted. *[Journal Clerk's note: this changes the vote tally for Roll Call 101 to 95 yeas, 0 nays.]*

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1303, Roll Call 165, on February 17, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

KLINKER

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 165 to 66 yeas, 27 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on second reading amendment 1 to Senate Bill 62, Roll Call 186, on February 19, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the nay button when I intended to vote yea."

MOED

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 186 to 23 yeas, 69 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1508, Roll Call 203, on February 23, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the nay button when I intended to vote yea."

FORESTAL

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 203 to 76 yeas, 19 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1542, Roll Call 251, on February 24, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

HAMM

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 251 to 82 yeas, 13 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1273, Roll Call 262, on February 25, 2015. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the yea button when I intended to vote nay."

MACER

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 262 to 73 yeas, 22 nays.*]

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Zent and Smaltz be added as coauthors of House Bill 1475.

KARICKHOFF

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 6, 58, 65, 71, 93, 99, 101, 125, 130, 242, 287, 288, 294, 297, 312, 317, 321, 325, 329, 330, 334, 350, 359, 385, 388 and 390 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

On the motion of Representative Saunders, the House adjourned at 3:24 p.m., this twenty-fifth day of February, 2015, until March 2, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives